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Attorneys for Defendants,
Ocwen Loan Servicing, LLC, successor to
Ocwen Federal Bank FSB, The Bank of New York,
as Trustee, pursuant to the terms of that certain
Pooling and Servicing Agreement dated as of November 1, 1996
related to Metropolitan Asset Funding, Inc., Mortgage
Pass-Through Certificates Series 1996-A, and Gina Johnson

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON
AT SPOKANE

MARCO T. BARBANTI,

Plaintiff,

vs.

QUALITY LOAN SERVICE CORP.,
California Corporation; EDDIE RAMIREZ
AND JANE DOE RAMIREZ, Husband and
Wife; BANK OF NEW YORK, as Trustee,
Pursuant to the Terms of That Certain Pooling
and Servicing Agreement Dated as of
November 1, 1996 Related to Metropolitan
Asset Funding Inc., Mortgage Pass-through
Certificates Series 1996-a; OCWEN LOAN
SERVICING, LLC, a Delaware limited
liability corporation; GINA JOHNSON AND
JOHN DOE JOHNSON, Husband and Wife;

Defendants.

) Case No.: CV-06-0065-EFS

) Honorable Edward F. Shea

) AGREED ORDER WITHDRAWING
) MOTION TO DISMISS AND MOTION TO
) STRIKE AND SETTING DEADLINE FOR
) RESPONSIVE PLEADING ON BEHALF
) OF OCWEN

BASIS

THE DEFENDANTS Ocwen Loan Servicing, LLC, successor to Ocwen Federal Bank

1 FSB ("Ocwen"), The Bank of New York, as Trustee, pursuant to the terms of that certain
2 Pooling and Servicing Agreement dated as of November 1, 1996 related to Metropolitan Asset
3 Funding, Inc., Mortgage Pass-Through Certificates Series 1996-A ("Bank of New York, as
4 Trustee"), and Gina Johnson and John Doe Johnson, having filed a Motion to Dismiss the
5 Complaint, and the Plaintiff, Marco Barbanti having filed a Motion to Strike the Motion to
6 Dismiss. The Court having reviewed the records herein and being informed that the above
7 stated Defendants and Plaintiff do hereby agree as follows, the Court enters the following order:
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9
10 **ORDER**

11 The Defendants' Motion to Dismiss [2] is hereby withdrawn, without prejudice to the right
12 to re-file said motion at a later date. Additionally, the Plaintiff's Motions to Strike the Motion are
13 hereby withdrawn [7 & 11] based on the withdrawal of Defendants' Motion to Dismiss. The
14 hearings related to these matters currently set on April 28th, 2006, and May 18th 2006, are hereby
15 stricken. Plaintiff's Motion to Expedite Hearing on the Motion to Strike is denied as moot.
16

17 The Court also orders and the undersigned parties do hereby agree that the deadline for
18 Ocwen to file responsive pleadings shall be May 12, 2006.

19 May 2, 2006

20 Dated: ~~XXX~~ Apr ____, 2006
21
22

23 s/ Edward F. Shea

24 The Honorable Edward Shea
25 United States District Court Judge
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